

**IN THE UNITED STATES DISTRICT COURTS
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:06CR22-5-V**

UNITED STATES OF AMERICA

v.

WAYNE DONTA O'NEIL

)
)
)
)
)
)
)
)
)
)

ORDER

THIS MATTER is before the Court on defense counsel's "Motion to Place Defendant In Substance Abuse Treatment Program" (document #262) filed September 29, 2006. After reviewing the Motion, the undersigned conferred with United States Probation's Pretrial Services Office and was advised that the Defendant's assault convictions, pending assault charges, and extensive criminal record generally rendered him ineligible for the Jail Based Inpatient Treatment Program ("JBIT"). However, the Pretrial Services Office does recommend the Defendant for the Mecklenburg County Jail's in-jail drug treatment program.

FOR THE FOREGOING REASON, the undersigned will **DENY** the Defendant's Motion that he be placed in the JBIT, but will **RECOMMEND** that the Defendant request, and that he be allowed to participate in, the Mecklenburg County Jail's drug treatment program.

The Clerk is directed to send copies of this Order to defense counsel (Gary A. Cook); the

United States Attorney's Office; the United States Probation Office; the United States Marshal; and
to the Honorable Richard L. Vorhees.

_____**SO ORDERED.**

Signed: October 3, 2006

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

